

## **REMARKS/ARGUMENTS**

### **STATUS OF CLAIMS**

In response to the Office Action dated January 3, 2007, claims 1, 12, 14 and 20 have been amended. Claims 1-7, 9-12, 14-16, 18-20 and 22-36 are now active in this application. No new matter has been added. Claims 8, 13, 17 and 21 have been withdrawn from consideration as being directed to non-elected species.

### **REJECTION OF CLAIMS UNDER 35 U.S.C. § 103**

I. Claims 1, 5-7, 9-10, 14, 16, 18, 19, 22-26, 31 and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bernhardt et al. (USPN 6,496,208) in view of Tanaka (USPN 5,253,338), and further in view of Tsuruta (USPN 5,754,230).

Claims 2 and 3 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bernhardt et al. in view of Tanaka and Tsuruta, and further in view of Bullock et al. (USPN 5,943,050).

Claims 4 and 15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bernhardt et al. in view of Tanaka and Tsuruta, and further in view of Chiba et al. (USPN 5,589,960).

Claim 11 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Bernhardt et al. in view of Tanaka and Tsuruta, and further in view of Ejima (US 2002/0024608).

Claims 12, 20, 27-30 and 33-36 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamamura et al. (USPN 6,567,120) in view of Bernhardt et al. and further in view of Tsuruta and Hirasawa (USPN 6,091,450), newly cited.

II. The courtesy of the interview conducted on April 10, 2007, is acknowledged and appreciated.

At the interview, it was explained to the Examiner that Bernhardt et al. (USPN 6,496,208) discloses displaying, on a display screen of a personal computer, a data structure derived from a large database. The example shown in Bernhardt et al. is displaying a tree (or hierarchical) representation of the data. Two images are displayed; one (small) image of the entire tree representation of the data of the database and a larger image corresponding to a portion of the tree representation of the data of the database.

It was further explained that, since the entire tree representation of the data of the database is large, specific details of the tree representation of the data of the database cannot be depicted when displaying the entire tree representation of the data of the database. What Bernhardt et al. discloses is using a “thumb” to choose a portion of the entire tree representation of the data of the database for which a more detailed representation is displayed via the larger image. While this may appear to be similar to what is done in the present application, it is in fact substantially different since what is being displayed in the present application is (playback of) an image derived from imaging device. It was explained that displaying (playback of) an image from an imaging device is NOT the same as displaying a *tree representation* of the data of a database.

It was also explained that Tsuruta (USPN 5,754,230) discloses displaying in which a portion is enlarged *using two photographed images*. Thus, even if the screen of Tsuruta could be used in the arrangement of Bernhardt et al., an image derived from an imaging device would not be displayed, only a tree representation of the data of a database. The Examiner was then shown proposed amendments for independent claims 1, 12 and 20. Amendments for method claim 14 were inadvertently not included, but amendments to claim 14, similar to those made to claims 1, 12 and 20, are included in the present amendment.

The Examiner advised that if the proposed amendments were submitted, the independent claims would distinguish over Bernhardt et al. and Tsuruta. These amendments are included in the present amendment.

It was further asserted that, in view of the fact that Bernhardt et al. discloses only displaying a tree representation of the data of a database and never discloses or suggests this would be applicable to displaying (playback of) an image, the claims without the amendment distinguish over the applied references. Therefore, the Examiner should permit entry of the amendment of the claims even though the current Office Action is final since the present Office Action should be withdrawn given the fact that the references cannot be combined to meet the terms of the claims.

This position as to the entry of the present amendments is incorporated into this response by this specific reference thereto.

**REJOINDER**

If claims 12 and 20, as amended, are found allowable, it is respectfully requested that claims 13 and 21, withdrawn from consideration as being directed to non-elected species, be **rejoined** as they would depend from allowable claims (see MPEP §§ 809 and 821.04).

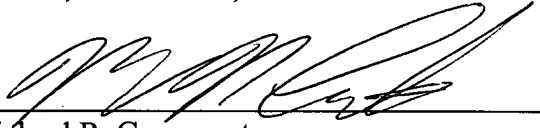
**CONCLUSION**

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

Date: May 22, 2007

Respectfully submitted,

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